

**LIBELED:** 6-27-60, Dist. Mass.

**CHARGE:** 402(a)(3)—contained parasitic copepods and pus pockets when shipped.

**DISPOSITION:** 7-27-60. Consent—claimed by State Fisheries, Inc., Gloucester, Mass. Segregated; 2,060 lbs. destroyed.

**26835. Frozen haddock fillets.** (F.D.C. No. 44724. S. No. 6-820 R.)

**QUANTITY:** 92 ctns., each containing 10 lbs. of frozen haddock fillets, cellophane wrapped, at Boston, Mass.

**SHIPPED:** These fillets were from fish caught by the fishing vessel "Flying Cloud" in the waters of the Atlantic Ocean outside the limits of Massachusetts, between June 25, 1960 and June 30, 1960.

**LIBELED:** 7-15-60, Dist. Mass.

**CHARGE:** 402(a)(3)—contained decomposed fillets when shipped.

**DISPOSITION:** 9-13-60. Default—delivered to a public institution for use as animal feed.

**26836. Canned salmon.** (F.D.C. No. 44791. S. No. 43-746 R.)

**QUANTITY:** 319 cases, 12 4-lb. cans each, at McKees Rocks, Pa.

**SHIPPED:** 8-19-60, from Seattle, Wash., by Emard Packing Co., Inc.

**LABEL IN PART:** (Can) "Kenmore \* \* \* Salmon Salt added Distributed by John Sexton and Company \* \* \* Chicago, Ill."

**LIBELED:** 9-8-60, W. Dist. Pa.

**CHARGE:** 402(a)(3)—contained decomposed salmon when shipped.

**DISPOSITION:** 10-7-60. Default—destruction.

**26837. Oysters.** (F.D.C. No. 44653. S. No. 66-641 P.)

**INFORMATION FILED:** 9-12-60, E. Dist. Va., against William V. Birch, t/a William C. Bunting, Chincoteague, Va.

**SHIPPED:** 12-17-59, from Virginia to New York.

**LABEL IN PART:** (Can) "Wm. C. BUNTING Tom's Cove Oysters OWNED AND OPERATED BY WILLIAM V. BIRCH PACKED BY WM. C. BUNTING CHINCOTEAGUE VA. 1 U.S. GALLON."

**CHARGE:** 402(b)(2)—when shipped, water had been substituted in part for oysters; and 402(b)(4)—water had been added to the article, and mixed and packed therewith, so as to increase its bulk or weight and reduce its quality.

**PLEA:** Guilty.

**DISPOSITION:** 9-16-60. \$400 fine.

## FRUITS AND VEGETABLES\*

### FROZEN FRUIT

**26838. Frozen red raspberries.** (F.D.C. No. 44725. S. No. 12-613 R.)

**QUANTITY:** 50 28-lb. cans at Chicago, Ill.

**SHIPPED:** 4-29-60, from Puyallup, Wash., by National Fruit Canning Co.

**LABEL IN PART:** (Can) "No Sugar \* \* \* Red Raspberries Distributed by National Fruit Canning Co. Seattle, Washington."

\*See also No. 26811.

**LIBELED:** 7-14-60, N. Dist. Ill.

**CHARGE:** 402(a)(3)—contained moldy raspberries when shipped.

**DISPOSITION:** 8-15-60. Default—destruction.

### MISCELLANEOUS FRUIT PRODUCTS\*

**26839. Mixed glaze fruits.** (F.D.C. No. 44774. S. No. 40-146 R.)

**QUANTITY:** 46 cases, 12 1-lb. ctns. each, at Fayetteville, Ark., in possession of McCord-Ozark Co.

**SHIPPED:** 10-15-58, from San Francisco, Calif.

**LIBELED:** 8-12-60, W. Dist. Ark.

**CHARGE:** 402(a)(3)—contained insects, insect excreta, rodent hairs, and moldy fruit; and 402(a)(4)—held under insanitary conditions.

**DISPOSITION:** 9-27-60. Default—destruction.

**26840. Apple cider.** (F.D.C. No. 44786. S. No. 40-069 R.)

**QUANTITY:** 192 cases, 6½-gal. btls. each, at Springfield, Mo.

**SHIPPED:** 10-9-59 and 10-24-59, from Bailey, Mich.

**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing decomposition.

**LIBELED:** 9-1-60, W. Dist. Mo.

**CHARGE:** 402(a)(3)—contained a decomposed substance while held for sale.

**DISPOSITION:** 10-19-60. Default—destruction.

### VEGETABLES AND VEGETABLE PRODUCTS

**26841. Canned cream peas.** (F.D.C. No. 44739. S. Nos. 38-951 R, 39-223 R.)

**QUANTITY:** 122 cases, 24 cans each, at Memphis, Tenn.

**SHIPPED:** 5-18-60 and 6-7-60, from Spiro, Okla., by Fresh Canning Co.

**LABEL IN PART:** (Can) "Baby Shug Fresh Texas Cream Peas \* \* \* Net Contents 15½ Oz. Avoir. Packed by Fresh Canning Co., Spiro, Okla."

**RESULTS OF INVESTIGATION:** Examination showed the article to be canned field peas and to be short weight.

**LIBELED:** 7-22-60, W. Dist. Tenn.

**CHARGE:** 403(a)—when shipped, the word "Fresh" in the legend "Fresh Texas Cream Peas," was false and misleading as applied to a processed food; 403(e)(2)—the article failed to bear an accurate statement of the quantity of contents; and 403(g)(2)—the article was represented as canned peas, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional pea ingredient present in such food.

**DISPOSITION:** 9-6-60. Default—delivered to a public institution for use as animal feed.

**26842. Dried mung beans.** (F.D.C. No. 44783. S. No. 9-721 R.)

**QUANTITY:** 22 100-lb. bags at Batavia, N.Y.

**SHIPPED:** Five or six years ago, from British East Africa.

**LIBELED:** 8-25-60, W. Dist. N.Y.

\*See also No. 26803.